

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHRISTOPHER RONEY,

Petitioner,

v.

JOHN E. WETZEL, Secretary, Pennsylvania
Department of Corrections; ROBERT
GILMORE, Superintendent of the State
Correctional Institution at Greene; STEVEN
GLUNT, Superintendent of the State
Correctional Institution at Rockview,

Respondents.

CIVIL ACTION

No. 2:14-cv-02083

THIS IS A CAPITAL CASE

HON. GENE E.K. PRATTER

JOINT STATUS REPORT

The parties, through counsel hereby submit this report on the status of discovery and related issues:

The parties last reported on the status of discovery during the Telephone Conference with the Court held October 7, 2021. Respondents confirmed their agreement to voluntarily produce for Petitioner's counsel's review materials related to Petitioner's *Batson* claim. As the Court knows, these include jury selection materials contained in the prosecutor's files in cases other than Mr. Roney's.

The review process is underway. Respondents have thus far made multiple cases available for Petitioner's review and are currently working to locate materials from at least three more cases. Petitioner's counsel has promptly reviewed the materials once they have been made available, identifying documents he thinks are responsive. Respondents have been reviewing those documents and redacting protected information before delivering the materials to Petitioner's counsel.

The process of locating and preparing the files for Petitioner's review and then reviewing and redacting materials identified as responsive is time-consuming. The files are in off-site storage and are often quite voluminous. However, the process to date has gone smoothly and borne fruit. From the files reviewed to date, Petitioner has identified various documents pertaining to Roger King's jury selection practices, including jury lists with Mr. King's annotations, jury selection notes of testimony, juror questionnaires, and various hand-written notes of Mr. King's from voir dire.

The parties agree to continue this process without the need for the Court's intervention. In January the parties have scheduled a number of reviews and if the process continues smoothly would anticipate completion in 45-90 days.

The parties therefore ask the Court to grant the parties 90 days to continue this *Batson*-related discovery process.

Respectfully submitted,

/s/ Michael H. Gonzales
MICHAEL H. GONZALES
HELEN A. MARINO
MATTHEW LAWRY
Federal Community Defender Office for the
Eastern District of Pennsylvania
Capital Habeas Unit
The Curtis Center, Suite 545-W
Independence Square West
Philadelphia, PA 19106
215-928-0520

Counsel for Petitioner Christopher Roney

/s/ Matthew Stiegler
MATTHEW STIEGLER
Supervisor, Federal Litigation Unit
Philadelphia District Attorney's Office
Three South Penn Square
Philadelphia PA 19107

Counsel for Respondents

Dated: January 7, 2022

CERTIFICATE OF SERVICE

I, Michael H. Gonzales, hereby certify that on this 7^h day of January 2021, I served a copy of the foregoing upon the following individual(s) via the Court's ECF system:

Matthew Stiegler, Esq.
Acting Chief, Federal Litigation Unit
Philadelphia District Attorney's Office
Three South Penn Square
Philadelphia PA 19107

/s/ Michael H. Gonzales
Michael H. Gonzales

Dated: January 7, 2022